IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

WP(C).No. 34103 of 2006(I)

PETITIONER:

C.P.JIJIMON, S/O. KRISHNAN,
CHUNGAPALLY HOUSE, THRIKKALANGODE VILLAGE,
ERANAD TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.K.V.RAMABHADRAN

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. CIRCLE INSPECTOR OF POLICE,
MANJERI, POST MANJERI, MALAPPURAM DISTRICT.

3. SUB INSPECTOR OF POLICE,
ARIKODE, POST ARIKODE, MALAPPURAM DISTRICT.

4. BENNY PAUL,
ENJAMANIYEL VEEDU, P.O.VETTILAPPARA,
MALAPPURAM DISTRICT.

5. M.N.SURENDRAN,
MADAKKATHARAYIL HOUSE, P.O.VETTILAPPARA,
MALAPPURAM DISTRICT.

6. JOSE ISAQ, S/O. ISAQ,
KANIYAKUZHIYIL HOUSE, P.O.VETTILAPPARA,
MALAPPURAM DISTRICT.

7. MATHEW GEORGE,
PUTHIYAPARAMBIL HOUSE, P.O.VETTILAPPARA,
MALAPPURAM DISTRICT.

8. JOFFY JOSEPH, S/O. JOSEPH,
VETTIKUZHIYIL HOUSE, P.O.VETTILAPPARA,
MALAPPURAM DISTRICT.

9. THANKACHAN, S/O. KOCHUKUNJU,
PALAPPURATH HOUSE, P.O.VETTILAPPARA,
MALAPPURAM DISTRICT.

10. K.A.AGASTIN,
KOZHIKUNNEL HOUSE, P.O.VETTILAPPARA,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR
GOVERNMENT PLEADER SRI.P.A.SALIM.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.34103/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF LICENCE TO ESTABLISH SHOP NO.27 AND SELL TODDY DT.31.5.2002.

EXT.P2: TRUE COPY OF TODDY TRANSPORT PERMIT DATED 16.09.2006 ISSUED BY EXCISE COMMISSIONER, PALAKKAD.

EXT.P3: TRUE COPY OF PETITION FILED BEFORE 2ND AND 3RD RESPONDENTS ASKING FOR POLICE PROTECTION DATED 27.11.2006.

EXT.P4: TRUE COPY OF ORDER OF INTERIM DIRECTION IN WPC NO.34103/06 DT.5.1.2007.

EXT.P5: THREE COPIES OF THE PHOTOGRAPH OF THE LOCATION THAT SHOWS THE POSTIION OF TODDY SHOP AS WELL AS THE 'SATHYAGRAHA PANDAL' AND ITS ASSUMED DISTANCE.

EXT.P6: PHOTOSTAT COPY OF PAPER PUBLICATION PUBLISHED IN MALAYALA MANORAMA DAILY DATED 16.1.2007.

EXT.P7: PHOTOSTAT COPY OF PETITIONS SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT DATED 15.1.2007 AND 22.1.2007.

//TRUE COPY//

P.A. TO JUDGE

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.34103 OF 2006 (I)

Dated this the 8th day of February, 2007

J U D G M E N T

KOSHY,J.

This is a petition for police protection. An interim order of protection was already granted on 5.1.2007. The above order dated 5.1.2007 is made absolute. However, police is directed to see that ingress and egress of customers, staff and employees are not prevented and if any demonstration or satyagraha is conducted, it should be away from 50 metres away from the gate of the shop. This order is without prejudice to the right of the parties to approach statutory authorities if any of their rights are affected. With the above observations this writ petition is disposed of.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007